

OCT 16 2003
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PTO/SB/31 (06-03) 10-21-03

NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCESDocket Number
26403.0075

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

on October 13, 2003

Signature

Typed or

Printed Name Martin G. Linihan

In re Application of Michael K. Landi et al.

Application Number 09/333,251

Filed June 15, 1999

For Method And Apparatus For Determining Access To A Subsurface Target

Group Art Unit 3737

Examiner R.S. Smith

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 330.00

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 165.00
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 08-2442. I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

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TECHNOLOGY CENTER R3700

I am the

- applicant/inventor
- assignee of record of the entire interest.
(See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- attorney or agent of record.
Registration number 24,926
- attorney or agent acting under 37 CFR 1.34(a)
Registration number if acting under 37 CFR 1.34(a). _____

Martin G. Linihan

Signature

Martin G. Linihan

Typed or printed name

716-848-1367

Telephone Number

October 13, 2003

Date

NOTE: Signatures of all the inventors of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required.

Total of _____ forms are submitted.